



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 5  
77 WEST JACKSON BOULEVARD  
CHICAGO, IL 60604-3590

JAN 26 2004

REPLY TO THE ATTENTION OF

(AE-17J)

**CERTIFIED MAIL**  
**RETURN RECEIPT REQUESTED**

Darryl Erickson, Environmental Manager  
Griffith Laboratories  
5145 West 123<sup>rd</sup> Street  
Alsip, IL 60803-3105

Re: Notice of Violation  
Griffith Laboratories  
Chicago, Illinois

Dear Mr. Erickson:

The United States Environmental Protection Agency (U.S. EPA) is issuing the enclosed Notice of Violation (NOV) to Griffith Laboratories (Griffith). The NOV is being issued under Section 113(a)(1) of the Clean Air Act, 42 U.S.C. § 7413(a)(1). We find that you are violating the Illinois State Implementation Plan (SIP) at your Chicago, Illinois facility.

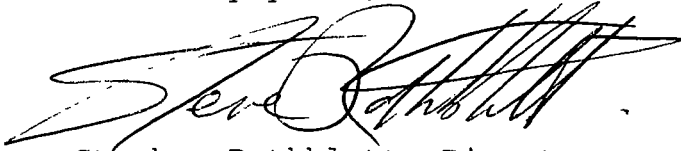
Section 113 of the Clean Air Act gives us several enforcement options. These options include issuing an administrative compliance order, issuing an administrative penalty order, and bringing a judicial civil or criminal action. The options we select may depend on, among other things, the length of time you take to achieve and demonstrate continuous compliance with the rules cited in the NOV.

We are offering you an opportunity to confer with us about the violations alleged in the NOV. The conference will give you an opportunity to present information on the specific findings of violation, any efforts you have taken to comply, and the steps you will take to prevent future violations.

Please plan for your facility's technical and management personnel to attend the conference to discuss compliance measures and commitments. You may have an attorney represent you at this conference if you choose.

The contact in this matter is Joseph Ulfing. You may call him at (312) 353-8205 to request a conference. You should make the request as soon as possible, but no later than 10 calendar days after you receive this letter. We should hold any conference within 30 calendar days of your receipt of this letter.

Sincerely yours,

A handwritten signature in black ink, appearing to read "Stephen Rothblatt", with a stylized, sweeping flourish extending from the end of the name.

Stephen Rothblatt, Director  
Air and Radiation Division

cc: Julie Armitage, Section Manager  
Compliance and Systems Management Section  
Illinois Environmental Protection Agency

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 5

IN THE MATTER OF:	)	
	)	
Griffith Laboratories	)	NOTICE OF VIOLATION
Chicago, Illinois	)	
	)	
	)	EPA-5-04-IL-10
Proceedings Pursuant to	)	
Section 113(a)(1) of the Clean	)	
Air Act, 42 U.S.C. § 7413(a)(1)	)	
_____	)	

**NOTICE OF VIOLATION**

The Administrator of the United States Environmental Protection Agency (U.S. EPA) is issuing this Notice of Violation under Section 113(a)(1) of the Clean Air Act (CAA), 42 U.S.C. § 7413(a)(1). U.S. EPA finds that Griffith Laboratories (Griffith) is violating the Illinois State Implementation Plan (SIP), as follows:

**Statutory and Regulatory Background**

**Illinois SIP**

1. On May 31, 1972, U.S. EPA approved Illinois Pollution Control Board (PCB) Rule 102 (35 Ill. Admin. Code § 201.141), as part of the federally enforceable SIP for the State of Illinois. 37 Fed. Reg. 10842.
2. Illinois PCB Rule 102 states that no person shall cause or threaten or allow the discharge or emission of any contaminant into the environment in any State so as, either alone or in combination with contaminants from other sources, to cause or tend to cause air pollution in Illinois.
3. On May 31, 1972, U.S. EPA approved Illinois PCB Rule 101 (35 Ill. Admin. Code § 201.102), as part of the federally enforceable SIP for the State of Illinois. 37 Fed. Reg. 10842.
4. Illinois PCB Rule 101 defines air pollution as the presence in the atmosphere of one or more air contaminants in sufficient quantities and of such characteristics and

duration as to be injurious to human, plant or animal life, to health, or to property, or to unreasonably interfere with the enjoyment of life or property.

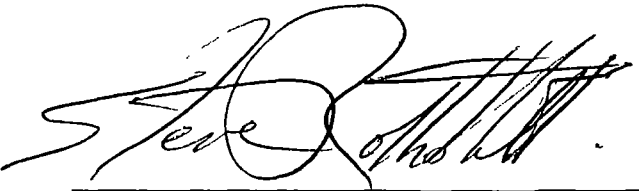
**Griffith's Facility**

5. Griffith owns and operates a Hydrolyzed Vegetable Protein (HVP) manufacturing facility, located at 1437 West 37<sup>th</sup> Street in Chicago, Illinois.
6. The results of emission testing performed by Griffith from November 2000 through August 2003 indicate significant emissions of volatile organic compounds, including acetic acid, acetone, amines, aldehydes, and ketones.
7. From August 24, 1995 to January 16, 2004, the City of Chicago Department of Environment received 84 citizen complaints regarding air pollution from Griffith's Chicago facility. The effects of emissions from the Griffith facility form the basis of the complaints.
8. U.S. EPA conducted an inspection of the Griffith facility on September 9, 2003, during which strong odors were detected. These odors were consistent with VOC emissions.

**Violations**

9. Griffith caused, threatened or allowed the discharge or emission of contaminants into the air which tended to cause air pollution, in violation of Illinois PCB Rule 102 (35 Ill. Admin. Code § 201.141).

1/26/2004  
Date

  
\_\_\_\_\_  
Stephen Rothblatt, Director  
Air and Radiation Division